

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

EDDIE & LORRAINE BIG MEDICINE,)	
CHARGING PARTY,)	
)	CASE NOS. 0002009317 &
vs.)	0002009316
)	
BRUSH MEADOW APTS & SANDI)	
ELLIS,)	ORDER AFFIRMING
RESPONDENTS.)	DISMISSAL
)	
)	
)	

The above-captioned matter came before the Montana Human Rights Commission (Commission) on January 16, 2001. The matter was before the Commission for consideration of the charging parties' objection to the notice of dismissal and notice of right to file a civil action in district court. Oral argument was not requested and the matter was considered based on the record.

After reviewing the record, the Commission finds that the Human Rights Bureau properly dismissed the matter. Although charging parties stated a prima facie case of discrimination on account of race and familial status, charging parties failed to show by a preponderance of the evidence that respondents evicted them and their children on account of their being Native American. The record supports the investigator's finding that respondents evicted them on account of lease violations involving their children. The investigator did not abuse her discretion when she issued a notice of dismissal. 24.9.1714(3), ARM. Accordingly, the notice of dismissal and notice of right to file civil action in district court must be affirmed.

IT IS HEREBY ORDERED, that the charging parties' objection is unanimously overruled and the notice of dismissal is affirmed.

Dated this __ day of «month», «year».

Gloria "Patt" Etchart, Chair, Montana Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the foregoing «**document name**» was served on the following persons by U. S. Mail, postage prepaid on the day of «month», «year».

«ADDRESS»
